REMARKS

Claims 9-16, 18-30, 35-53, and 77-104 are in the case.

Caims 38 through 53 and claims 84 through 98 are under consideration.

Claim 38 is amended based on United States Patent Application US 2004/0266531,

Paragraph [0037], lines 1 and 2,

Paragraph [0040], lines 1 and 2,

paragraph [0042], lines 8 to 10.

Claim 39 is amended based on United States Patent Application US 2004/0266531,

Paragraph [0031], lines 4 to 6,

Paragraph [0040], lines 9 to 15,

paragraph [0053], lines 37 to 43.

The Office Action refers to Election/Restrictions.

1.   Applicant's election with traverse of Invention II and Species 2B in the reply filed on 7/10/09 is acknowledged. The traversal is on the ground(s) that (1) Inventions set forth in the Office Action do not have an acquired separate status in the art and they are closely related; and (2) Claims pending are so related that the search material is essentially a common search material relating to all pending claims. This is not found persuasive because (1) Inventions set forth in the restriction requirement does have a separate status in the art by example of the different classifications/subclasses of each invention which causes a serious burden on the examiner; and (2) Again, different

classifications/subclasses are required within the search which would cause a serious burden on the examiner.

The requirement is still deemed proper and is therefore made FINAL.

The prior Office Action had placed claims 38 to 53, and 84 to 98 in group IIB of the restriction requirement.

The Office Action refers to Drawings.

3.   The drawings stand objected to under 37 CFR 1.83(a) because they fail to show elements "36" and "47" in Fig. 6 as described in the specification.

The reference numeral 36 is described in the specification based on United States Patent Application US 2004/0266531, paragraph [0039], line 7 and in paragraph [0051], line 4. The reference numeral 36 is shown in Fig. 3 on the top.

The reference numeral 47 is described in the specification based on United States Patent Application US 2004/0266531, paragraph [0039], lines 4 and 7 and in paragraph [0051], line 3. The reference numeral 36 is shown in Fig. 3 in the middle and in Fig. 4 in the middle.

In Fig. 6 the base game with payment insertion is associated with the reference numeral 50. In Fig. 6 the presentation of winning amount is associated with the reference numeral 58.

It appears that the showing of reference numerals 36 and 47 in Figs. 3 and 4 should be sufficient to meet the requirements.

Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).

It is believed that the showing of reference numerals 36 and 47 in Figs. 3 and 4 should be adequate and that no additional entries of the reference numerals 36 and 47 into the drawings should be necessary.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

It is believed that Figs. 3 and 4 meet the requirements for reference numerals 36 and 47.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "68" of Figs. 7 and 8 has been used to designate both "collecting the individual results" and "sending individual results". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheef or "New Sheet" pursuant to 37 CFR 1.121 (d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

A replacement page with Fig. 8 is herewith submitted to obviate the drawing objection. The specification is now amended to introduce the reference numeral 68.

The Office Action refers to the Specification.

5. The disclosure is objected to because of the following informalities:

-   pg. 14, 2nd parg. recites "video screen 8", however, the figs, does not support this recitation

-   pg. 30,1st parg. recites "block 58" where it seems it should be -block 68-. Appropriate correction is required.

-   The present amendment furnishes corrections on pages 14 and 30 to obviate the objections.

6.   The specification is objected to as failing to provide proper antecedent basis for

the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01 (o). Correction

of the following is required:

-   Claim 38 includes the recitation "effectively limiting a number of game rounds

    being played", which lacks antecedent basis in the original specification

The objectionable clause has been removed from claim 38.

The Office Action refers to Claim Objections.

7.   Claims 43, 84, 88, and 97 stand objected to because of the following informalities:

-   claim 43, seem to have a misspelling of word "braching" where it seems it should

    be -branching-

-   claims 84, 88, and 97 seems to have typos with the"." symbol within claim

    language

-   claim 85 seems to have a grammatical error with the recitation "activating the

    entertainment automat (1) is activated".

Appropriate correction is required.

The present amendment corrects claims 43, 84, 85, 88, and 97 to respond to

the objection

The Office Action refers to Claim Rejections - 35 USC §112

9.   Claims 38-39, 94 and 97 stand rejected under 35 U.S.C. 112, first paragraph, as

failing to comply with the written description requirement. The claim(s) contains subject

matter which was not described in the specification in such a way as to reasonably

convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 38 includes the recitation "employing a first entertainment automat; employing a second entertainment automat; effectively limiting a number of game rounds being played; changing sequentially symbol cards for new random symbol cards in the course of a sequence of game rounds", which is not supported by the original specification and thus is new matter.

Claim 38 is now amended to obviate the objectionable language.

Claim 39 includes the recitation "managing a jackpot in the entertainment automat performing the master function; filling the jackpot depending on the games performed in the entertainment automats; determining if the filling level of the jackpot has reached a predetermined level", which is not supported by the original specification and thus is new matter.

Claim 39 is now amended to remove the objectionable language.

Claims 94 and 97, includes the recitation "non-appearing of a recognition signal since at this point in time no entertainment automat has yet assumed the master functions", which is not supported by the original specification and thus is new matter.

United States Patent Application US 2004/0266531, Paragraph [0053], lines 26 to 28, reads s follows:
"Since at this point in time no entertainment automat has yet assumed the master functions, the recognition signal does not appear." It is believed that this language of the original specification does support the recited clauses of claims 94 and 97 in the Office Action. It would be appreciated to have a proposal for an improved

claim language in view of the language believed to supprt the claim clauses.

Paragraph [0040], lines 1 and 2,

paragraph [0042], lines 8 to 10.

11. Claims 40-53, 84-93, and 95-98 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant respectfully traverses.

Claims 40-53, 84-93, and 95-98, includes the limitations "operational block", "branching block", "actualize intermediate state", "returning process", "performing a return from an operational block" "operational element", and "entry block", and in addition, ask questions within the claims, where the context used within the claims the meaning of these limitations are unclear and ambiguous; for example, (emphasis added) claim 40 includes the recitation "inserting payment in an operational block "Insert payment" (36), activating a game time in an operational block "Activating the game time" (37); randomly drawing all cards in an operational block "Randomly drawing all cards" (38); determining if a game time has ended in a branching block "Game time ended ?" (39)"; and in claim 52 the recitation "returning process to inserting payment in the operational block "Base game with payment insertion" (50)".

A patent application describes and claims technical elements and technical steps with language expressions. These language expressions are to convey the features of the technical elements or technical steps. The clauses of the claims are formed including said language expressions. The language expressions are selected to express technical elements and technical steps with words.

Appliants respectfully submitted that the objected expressions are not indefinite in fact, but are making the clauses containing the objected expressions more definite. For example in claim 40 the steps recited in the clauses of the claim are deemed better defined by incorporating the objected expressions.

Claim 40 recites the clause "inserting payment in an operational block "activating a game time in an operational block "Activating the game time" (37) of the active entertainment automat;". It is believed that the expression "in an operational block "Activating the game time" (37) of the active entertainment automat;" makes the claim language 'activating a game time' more definite by indicating that there is a block where the activation takes place and that it is not a branching block. The expression 'block "activating the game time" ' labels the block to distinguish from other blocks in the claims. Applicant does not deny that there might exist other language which renders the step "activating a game time" even more definite than does the language expression employed in the clause of claim 40, but no such language has been proposed so far.

Claim 40 contains another clause : "randomly drawing all cards in an operational block "Randomly drawing all cards" (38) of the active entertainment automat;". Applicant deems that the language expression 'in an operational block "Randomly drawing all cards" (38) of the active entertainment automat;' makes the expression "randomly drawing all cards" more definite. The language expression of performing in an operational block defines that the step of the clause occurs in an operation and not in a branching. The words 'block "Randomly drawing all cards" (38) of the

active entertainment automat;' indicate that the block is part of the active entertainment automat and that the block "Randomly drawing all cards" is distinguished from other blocks carrying other labels. Thus the objectionable language further defines the step of randomly drawing all cards in claim 40.

Claim 40 also contains the folowig clause:

"determining if a game time has ended in a branching block "Game time ended ?" (39) at the active entertainment automat;".

It is respectfully submitted that the language expression : 'in a branching block "Game time ended ?" (39) at the active entertainment automat;' further defines the step 'determining if a game time has ended'. It sets forth that an outgoing signal from the block is forked depending on if the game time has ended. The language expression further contains that he block is disposed at the active entertainment auomat and labels the block "Game time ended ?" in contradistinction to labels of other blocks. It is urged that the language expression further defines the step "determining if a game time has ended".

In addition, claim 86 includes the recitation "displaying five next to each other disposed card symbols with the symbol display device (2) in case of actuation of an operational element according to entry block "Hand out key" (41), wherein the symbol storage comprises 20 card symbols, namely ten, Jack, Queen, King, and ace in each case in all four colors" is unclear and ambiguous. As best understood, cards can be replaced with new cards from four suits of cards.

Applicant agrees with the Office Action that cards can be replaced with new cards from four suits of cards.

The Office Action refers to Double Patenting.

12.   The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg,* 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman,* 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi,* 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum,* 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel,* 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington,* 418 F.2d 528,163 USPQ 644 (CCPA 1969).
A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.
Effective January 1,1994, a registered attorney or agent of record may sign a terminal

disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR

3.73(b).

13.   **Claims 38-53 and 84-98 are provisionally rejected on the ground of**

nonstatutory double patenting over claims 1-68 of copending Application No.

09/491,779. This is a provisional double patenting rejection since the conflicting claims

have not yet been patented.

The subject matter claimed in the instant application is fully disclosed in the referenced

copending application and would be covered by any patent granted on that copending

application since the referenced copending application and the instant application are claiming

common subject matter, as follows: Claims 38-53 and 84-98 of the instant application are

identical to those of claims 1-68 of Application No. 09/491,779. Thus, the two sets of claims do not constitute patentably distinguishable subject matter.

Applicant respectfully submits that the restriction requirement issued in the present case contradicts the allegation of the Office Action that the two sets of claims do not constitute patentably distinguishable subject matter.

Furthermore, there is no apparent reason why applicant would be prevented from presenting claims corresponding to those of the instant application in the other copending application. See *In re Schneller,* 397 F.2d 350,158 USPQ 210 (CCPA 1968). See also MPEP § 804.

There are no claims allowed in either one of the applications at this point in time. Once allowable claims are indicated, applicant will consider the appropriateness of filing a terminal disclaimer.

The Office Action refers to Claim Rejections - 35 USC § 103.

15.   **Claims 38-53 and 84-98 are rejected under 35 U.S.C. 103(a) as being obvious over Gauselmann (WO 97/49073) in view of Walker et al. (US 6,248,016 B1).** For purposes of this action, Examiner will use the patent (USPN 6,089,980), which is a translation of the PCT publication. All citations will be made with reference to locations in the US Patent.

Regarding independent claim 38, the claimed invention of the instant application as best understood is an invention that describes a method of running a plurality of gaming machines in a network connection with each other and allowing a game of draw poker.

Regarding claims 38, Gauselmann teaches **a method of running a plurality of entertainment automats** (see Fig. 1) comprising

employing a first entertainment automat (Fig. **1, 2b**);

employing a second entertainment automat (Fig. **1, 2c**);

networking a second entertainment automat to the first entertainment automat (see Fig. 1,1, 2a-d, **4,** which discloses the automats connected in a network);

determining which entertainment automat from the first entertainment automat and the second entertainment automat assumes a master function within the network (col. 7, lines 13-18, discloses a gaming machine having a master function);

determining which entertainment automat from the first entertainment automat and the second entertainment automat assumes assumes a slave function within the network (col. 7, lines 13-18, discloses gaming machines acting as slaves in a network);

Walker discloses effectively limiting a number of game rounds being played (as best understood, see abstract, where the draw poker game has a limited amount of rounds per game); changing sequentially symbol cards for new random symbol cards in the course of a sequence of game rounds (see abstract, where the draw poker game randomly changes and replaces cards). Gaming machines that allow poker game play is well known in the gaming art. Thus, the network of gaming machines of Gauselmann would have motivation to use video poker games of Walker in order to attract players that enjoy playing poker.

Claim 38 as now amended contains the clause : "monitoring the total playing time;". Neither the reference Gauselmann nor the reference Walker et al. teaches or suggests such step. This step together with other differences patentably distinguishes claim 38 over the references Gauselmann and

Walker et al.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the gaming machine network of Gauselmann with the poker gaming machines of Walker in order to allow players to play poker in a network.

Applicant respectfully disagrees. There are many differences between the reference Gauselmann and the reference Walker et al. that a person of ordinary skill in the are would not know what to combine and what not to combine. There is no suggestion in the reference Gauselmann as to how to incorporate the video poker machine of the reference Walker et al. and vice versa there is no suggestion in reference Walker et al. as to expanding the video poker machine of the reference Walker et al. into the shared jackpot system of the reference Gauselmann.

39, Gauselmann teaches the method of running a plurality of entertainment automats according to claim 38 further comprising

collecting data relating to the games performed at the entertainment automats in the entertainment automat performing the master function (see col. 4, lines 64-col. 5, line 5);

managing a jackpot in the entertainment automat performing the master function (see col. 3, 59-67-col. 4,1-10);

filling the jackpot depending on the games performed in the entertainment automats (see col. 3, 59-67-col. 4, 1-10);

determining if the filling level of the jackpot has reached a predetermined level (see col. 3, 59-67-col. 4, 1-10);

initiating a supplemental game in all running entertainment automats simultaneously upon the jackpot having reached the predetermined level (see abstract); and

switching simultaneously the coin actuated entertainment automats disposed in the network into a common supplemental game when a predetermined value of a common jackpot is surpassed (see abstract).

Applicant respectfully submits that the Abstract of the reference Gauselmann does not teach switching simultaneously the coin actuated entertainment automats disposed in the network into a common supplemental game when a predetermined value of a common jackpot is surpassed.

40, 41, 42, 43,44, 45, 46,47, 48,49, 50, 51, 52, Gauselmann teaches the method of running a plurality of entertainment automats according to claim 38 further comprising

inserting payment in an operational block "Insert payment" (36) into one of the entertainment automats for obtaining an active entertainment automat (abstract, discloses coin-operated gambling machines, which as best understood, a payment of a coin is required in order to active a gambling machine);

Claims 40, 42

activating a game time in an operational block "Activating the game time" (37) of the active entertainment automat (abstract, discloses coin-operated gambling machines, which as

best understood, once a payment of a coin is placed in a gambling machine game play/time is allowed);

Claims 40, 42

waiting for another insertion of payment (abstract, discloses coin-operated gambling machines, which as best understood, a payment of a coin is required in order to active a gambling machine).

Claims 40, 42; not in sequence

Walker discloses randomly drawing all cards in an operational block "Randomly drawing all cards" (38) of the active entertainment automat (see abstract, and col. 1,15-25, discloses a draw poker with initial cards randomly chosen);

Claims 40, 42

Applicant respectfully submits that a picking and choosing of steps from the references Gauselmann and Walker et al. will not render obvious the present invention. There is no suggestion within the four corners of the references to follow the recited steps attributed to the reference Gauselmann by steps attributed to the reference Walker et al.

determining if a special symbol combination in a branching block "Special symbol combination or jackpot winning value reached ?" (49) has been reached (Figs. 1 and 3, discloses final hand combinations, which as best understood, a special symbol combination is a winning poker hand such as a Royal Flush, straight, and the like);

Claim 42

The reference Walker et al. defines in Figures 1 and 3 certain payout amounts for certain card combinations in part depending on the history of the cards. The claim language of claim 40 in contrast requires determining

if a special symbol combination has been reached in a branching block "Special symbol combination or jackpot winning value reached ?". There is no suggestion in the references that there will be two branches to be selected for continuing after the determination of this clause.

returning process to inserting payment in the operational block "Insert payment" (36) if it is determined that no special symbol combination in the branching block "Special symbol combination or jackpot winning value reached ?" (49) has been reached (Fig. 5, 505, and 510, discloses receiving a payment from a player);

Claim 42

The next step according to this clause returns to the first clause of claim 42 if it was determined that no special symbol combination or jackpot winning value was reached. This feature of the clause is clearly absent from the Walker et al. reference. The reference Walker et al. teaches in Fig. 5, reference numerals 505 and 510 receiving payment from player, but no determination about the reaching of a special symbol combination or of a jackpot winning value. Thus this clause is clearly unobvious over the references Gauselmann and Walker et al.

activating a game time in an operational block "Activating the game time" (37) of the active entertainment automat if it is determined that a special symbol combination in the branching block "Special symbol combination or jackpot winning value reached ?" (49) has been reached (Fig. 5, 505, and 510, discloses receiving a payment from a player, which as best understood, activates game play);

Claim 42

The next step according to this clause "activating a game time in an operational block "Activating the game time" (37) of the active entertainment automat if it is determined that a special symbol combination in the branching block "Special symbol combination or jackpot winning value reached ?" (49) has been reached" is the activation of a game time without a payment, but based on a special symbol combination or on a jackpot winning value. No payment is necessary according to the clause, whereas the reference Walker et al. requires in Fig. 5, reference numeral 505, 510 the receipt of payment from player.

determining if a game time has ended in a branching block "Game time ended ?" (39) at the active entertainment automat (see abstract, which discloses a final hand, which as best understood, a final hand determines if the game has ended);

Claim 42

The clause determines if a game time has ended in a branching block "Game time ended ?" (39) at the active entertainment automat. The present clause performs a decision if the game time has ended or not. In clear contrast the reference Walker et al. teaches a final hand, but no determination if the game time has ended,

presenting the winning amount on a display if the game time is determined to be ended (see abstract, which discloses payout based on a final hand).

Claims 40, 42

The clause presents the winning amount on a display if the game time has been ended. The reference Walker et al. determines a payout based on a ranking of the final hand and the number of cards drawn.

Gaming machines that allow poker game play is well known in the gaming art. Thus, the network of gaming machines of Gauselmann would have motivation to use video poker games of Walker in order to attract players that enjoy playing poker.

If the reference Gauselmann would have motivation to use video poker games of Walker et al. one should expect that the reference Gauselmann would contain a hint or a suggestion to that effect. However, the reference Gauselmann fails to furnish any suggestion with regard to a performance of video poker games. No motivtion is seen within the four corners of the reference Gauselmann to perform video poker games with the method for the determination of a shared jackpot winning.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time ' of the invention to combine the gaming machine network of Gauselmann with the poker gaming machines of Walker in order to allow players to play poker in a network.

Combining the gaming machine network of Gauselmann with the poker gaming machines of Walker et al. would not be feasible since the poker gaming machines of Walker et al. lack a compatible interface to the gaming machine netwok of the reference Gauselmann.

84, 85, 88, 89, 90, 93, 94, Gauselmann teaches the method according to claim 38, further comprising

actuating a power switch of each entertainment automat (1) (Fig. 2, 28, and col. 34-61, discloses a power amplifier);

Claim 84

Applicant respectfully submits that a presence of a power amplifier in a reference does not render obvious the method step actuating a power switch of each entertainment automat (1).

initiating a network of entertainment automats associated with the operational block "Start of network" (49) (see Fig. 1,1, 2a-d, 4, which discloses the automats connected in a network);

Claim 84

The above clause refers to the step of initiating a network of entertainment automats. The Gauselmann reference refers to a network of connected automats.

assuming of a master function by one of the entertainment automats (1) (col. 7, lines 13-18, discloses a gaming machine having a master function);

Claim 84

The reference Gauselmann teaches that one gambling machine will take over the master function.

switching remaining entertainment automats (1) present in the network to a slave function (col. 7, lines 13-18, discloses gaming machines acting as slaves in a network);

Claim 84

The reference Gauselmann teaches that other communication boards will behave as slaves in the communication network.

coordinating of the entertainment automats (1) present in the network with respect to a collection of data through a counter state of a jackpot amount according to the master function (see abstract, col. 3, 59-67-col. 4,1-10, and col. 4, lines 64-col. 5, line 5, which discloses a master machine monitoring jackpot amount and requesting data from slave machines);

Claim 84

Each one of the plurality of gambling machines to fill a jackpot to be filled jointly from the plurality of coin-operatd gambling machines, for displaying a filling level of the jackpot, for monitoring the filling level of the jackpot by a communication board of a control circuit of each one of the plurality of gambling macines.

releasing of a common special game, which takes place at all entertainment automats (1) present in the network at the same time (col. 2, 35-37, discloses an identical game sequence is started at the same time in all linked gambling machines);

Claim 84

An identical game sequence is started at the same time in all linked gambling machines with said request sequence according to the reference Gauselmann.

randomly determining a symbol combination in the operational block "Base game with payment insertion" (50) in case of a sufficient credit balance state (col. 5, 34-47, explicitly discloses a symbol combination);

Claim 84

Claim 84 randomly determines a symbol combination, whereas the reference Gauselmann refers to displaying winning symbol combinations.

displaying the symbol combination in a symbol display device (2) (col. 5, 34-47, explicitly discloses a symbol combination);

Claim 84

The reference Gauselmann refers to displaying winning symbol combinations.

transferring, an adjustable shared part amount of the game stake of each base game to a common jackpot counter associated with an operational block "Collecting the jackpot amount" (51) (col. 3, 59-67);

Claim 84

The reference Gauselmann teaches to monitor the filling level of the jackpot by each one of a plurality of gambling machines. Claim 84 requires transferring an adjustable shared part amount of the game stake of each base game to a common jackpot counter.

checking, a counter state of the common jackpot counter in the operational block "Collecting the jackpot amount" (51) following to a determination of the winning value in the base game (col. 3, 59-67-col. 4,1-10);

Claim 84

The reference Gauselmann teaches that each one of the plurality of gambling machines monitors the filing level of the jackpot. Claim 84 requires the checking of a counter state of a common jackpot counter. Thus claim 84 requires more centralization of the jackpot counting in comparison to the reference Gauselmann.

sending a control signal from the master entertainment automat (1) associated with operational block "Jackpot game starts at all slaves" (53) to all other entertainment automats (1)

present in the network if a predetermined jackpot counter state is reached or surpassed (col. 2, 35-37);

Claim 84

An identical game sequence is started at the same time in all linked gambling machines with said request sequence according to the reference Gauselmann.

switching the slave entertainment automats (1) to a special game based on a control signal after termination of the base game (col. 2, 35-37);

Claim 84

An identical game sequence is started at the same time in all linked gambling machines with said request sequence according to the reference Gauselmann.

monitoring in the operational block "Wait till all slaves are ready" (54), if an okay signal was returned by all slave entertainment automats (1) (col. 2, 35-37);

Claim 84

An identical game sequence is started at the same time in all linked gambling machines with said request sequence according to the reference Gauselmann. Claim 84 requires that monitoring takes place if all slave automats are ready and have returned an okay signal, which patentably distinguishes claim 84 from the references applied..

starting a special game at the same time in all participating coin actuated entertainment automat (1) (col. 2, 35-37).

Claim 84

An identical game sequence is started at the same time in all linked gambling machines with said request sequence according to the reference Gauselmann.

86, 87, 91, 92, 95, 96, 97, 98, Gauselmann teaches the method according to claim 85, further comprising

determining a game result of the symbol combination (col. 5, 34-47, explicitly discloses a symbol combination);

Claim 86

The reference Gauselmann teaches that the gambling machines 2a and 2c include a video screen 8 for the display of winning symbol combinations. Claim 86 in contrast requires determining a game result of the symbol combination.

displaying a game result of the symbol combination in the operational block "Actualize intermediate state" (44) (col. 5, 34-47, explicitly discloses displaying a symbol combination);

Claim 86

The reference Gauselmann teaches that the gambling machines 2a and 2c include a video screen 8 for the display of winning symbol combinations. Claim 86 in contrast requires displaying a game result of the symbol combination.

Walker discloses checking which operational element (3) was actuated in case of actuation of the operational element of entry block "Hand out key" or "Hold key" (41,42) (Fig. 2,125, discloses hold keys within a gaming machine);

Claim 86

The reference Walker et al. shows in Fig. 2, 125 hold keys. Claim 86 requires checking which operational element (3) was actuated in case of actuation of "Hand out key" or "Hold key". Applicant urges that there is a substantial difference between the teaching of Walker et al. of the existence of hold keys and claim 86 requiring checking which operational element (3) was actuated.

displaying five next to each other disposed card symbols with the symbol display device (2) in case of actuation of an operational element according to entry block "Hand out key" (41), wherein the symbol storage comprises 20 card symbols, namely ten, Jack, Queen, King, and ace in each case in all four colors (as best understood, see abstract, which discloses replacing discarded cards with new cards);

Claim 86

In case of actuation of an operational element according to entry block "Hand out key" (41) displaying five next to each other disposed card symbols with the symbol display device (2). The reference Walker et al. fails to show a Hand out key displaying five next to each other disposed card symbols.

redrawing cards not held by new cards randomly determined from the card storage in the operational block "Randomly drawing of not held card" (43) (see abstract, which discloses cards not held are discarded);

Claim 86

According to claim 86 cards not held are redrawn by new cards randomly determined from the card storage. The abstract of the reference Walker et al. fails to teach or suggest any card storage.

determining in the branching block "maximum winning value" (45), if the maximum winning value is displayed with the symbol display device (2);

Claim 86

This clause is concerned with displaying the maximum winning value. This claim feature is outside of the scoe of the reference Walker et al.

performing a return from the branching block "maximum winning value" (45) to the branching block "Game time ended ?" (39) in case of a non-reaching of the maximum winning value, wherein the game time is checked in the branching block "Game time ended ?" (39).

Claim 86

This clause requires returning control from the branching block "maximum winning value" (45) to the branching block "Game time ended ? " (39) when the maximum winning value is not reached. No such feature is seen in the reference Walker et al.

Gaming machines that allow poker game play is well known in the gaming art. Thus, the network of gaming machines of Gauselmann would have motivation to use video poker games of Walker in order to attract players that enjoy playing poker.

Applicant submits that it is not that simple to make available the network of gaming machines of Gauselmann to use video poker games of Walker et al. as may be believed by the Examiner.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the gaming machine network of Gauselmann with the poker gaming machines of Walker in order to allow players to play poker in a network.

Applicant submits that to combine a system based on individual game machines of Walker et al. without any network preparation with a network of gaming machines would be a difficult undertaking.. Instead of combining the self contained entertainment automats of the reference Walker et al. with the network of the reference Gauselmann, it might be easier to construct a network with video poker features ab ovo.

Reconsideration of all outstanding requirements is respectfully requested.

Entry of the present response is respectfully requested. All claims as submitted are deemed to be in form for allowance and an early notice of allowance is earnestly solicited.

Respectfully submitted,
Michael Gauselmann
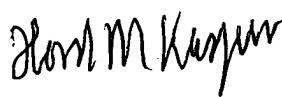
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